

NOTICE TO APPLICANTS FOR BUSINESS LICENSES AND COMMERCIAL BUILDING PERMITS:

In accordance with the Business and Professions Code, section 1600.2, effective January 1, 2024, which states as follows:

A city, county, or city and county that issues business licenses, equivalent instruments, or permits within its jurisdiction shall provide written notice of the requirements of Section 118600 of the Health and Safety Code to each applicant for a new or renewed business license, equivalent instrument, or permit.

(Added by Stats. 2023, Ch. 223, Sec. 1. (AB 783) Effective January 1, 2024.)

This notice is to inform California business establishments, places of public accommodation or state or local government agencies of the requirements and assist in compliance with Assembly Bill 1732 (Ting, Chapter 818, Statutes of 2016). Assembly Bill 1732 (AB1732) was signed into law on September 29, 2016 to create California Health and Safety Code Section 118600, relating to the identification of single-user toilet facilities as all-gender toilet facilities.

The California Health and Safety Code, 118600:

- (a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.
- (b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.
- (c) For the purposes of this section, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.
- (d) This section shall become operative on March 1, 2017.
- (e) This section does not apply to construction jobsites, as described in subdivision (a) of Section 6722 of the Labor Code.

(Amended by Stats. 2023, Ch. 529, Sec. 2. (AB 521) Effective January 1, 2024.)

For compliance with signage for single-user toilet facilities, under the provisions of CBC 11B-703.2.6, Geometric symbols at entrances to toilet and bathing rooms shall be mounted at 58 inches (1473 mm) minimum and 60 inches (1524 mm) maximum above the finish floor or ground surface measured from the centerline of the symbol. Where a door is provided the symbol shall be mounted within 1 inch (25 mm) of the vertical centerline of the door. Additionally, under provisions of CBC 11B-703.7.2.6.3, a combined circle and triangle symbol shall be located at entrances to unisex toilet and bathing facilities. The color of the triangle symbol shall contrast with the color of the circle symbol, either light on a

dark background or dark on a light background. The color of the circle symbol shall contrast with the color of the door or surface on which the combined circle and triangle symbol is mounted, either light on a dark background or dark on a light background. See CSC 11B-703.7.2.6.3 for additional specifications.

Division of State Architect, State of California has published a bulletin number 17-01, entitled 'Identification of Single-User Toilet Facilities as All Gender' for reference as an aid in complying with new state law requirements with recommendations for Signage. Below is an excerpt from DSA BU 17-01 of the signage required for single-user-toilet facilities. (To view the full bulletin, BU 17-01, please see <https://www.dgs.ca.gov/DSA/Publications#BUs>)

EXHIBIT A - Door Symbol (required by the CBC)

This image represents the door symbol that is required by CBC 11B-216.8 to identify an all-gender/unisex single-user toilet facility. The symbol must comply with the requirements of CBC 11B-703.7.2.6.3. No pictogram, text, or braille is required on the symbol.

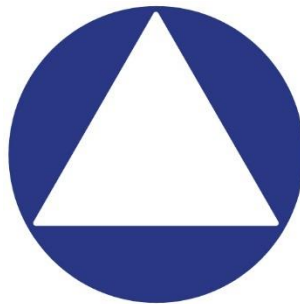


EXHIBIT B - Designation sign on wall

Designation signs are not required to be provided by the CBC or the 2010 ADAS. If provided, a designation sign adjacent to the door must comply with the scoping requirements of CBC 11B-216.2, and the technical requirements for raised characters (CBC 11B-703.2), braille (CBC 11B-703.3), visual characters (CBC 11B-703.5), and requirements for installation height and location (CBC 11B-703.4). No pictogram is required. The following signs illustrate acceptable examples for designation sign text:



Note: Braille translation not verified by the City of Dublin.

ENCLOSURE:

1. Assembly Bill No. 1732, also available online: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1732
2. Department of the State Architect (DSA) Bulletin 17-01-01: Identification of Single-User-Toilet Facilities as All-Gender: Frequently Asked Questions, also available online: https://www.dgs.ca.gov/-/media/Divisions/DSA/Publications/bulletins/BU_17-01-01.pdf?la=en&hash=073C29C6C8B9868297720EEF39C58431F230CB2A

ENCLOSURE I:

Assembly Bill No. 1732

CHAPTER 818

An act to add Article 5 (commencing with Section 118600) to Chapter 2 of Part 15 of Division 104 of the Health and Safety Code, relating to restrooms.

[Approved by Governor September 29, 2016. Filed with Secretary of State September 29, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1732, Ting. Single-user restrooms.

Existing law requires a public agency, as defined, that serves the public or is open to the public and maintains toilet facilities to make those facilities available to the public free of charge. Existing law requires publicly and privately owned facilities where the public congregates, as defined, to maintain a sufficient number of temporary or permanent toilet facilities to meet the needs of the public at peak hours. Existing law also requires each business establishment to provide, within reasonable access, a sufficient number of toilet facilities for the use of the employees.

This bill would, commencing March 1, 2017, require all single-user toilet facilities in any business establishment, place of public accommodation, or government agency to be identified as all-gender toilet facilities, as specified. The bill would authorize inspectors, building officials, or other local officials responsible for code enforcement to inspect for compliance with these provisions during any inspection.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS
FOLLOWS:**

SECTION 1.

Article 5 (commencing with Section 118600) is added to Chapter 2 of Part 15 of Division 104 of the Health and Safety Code, to read:

**Article 5. Single-User Restrooms
118600.**

(a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.

(b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.

(c) For the purposes of this section, "single-user toilet facility" means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.

(d) This section shall become operative on March 1, 2017.

BULLETIN: IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER: FREQUENTLY ASKED QUESTIONS

Division of the State Architect (DSA) documents referenced within this publication are available [DSA Publications](#) webpages.

PURPOSE: This bulletin is a supplement to *BU 17-01: Identification of Single-User Toilet Facilities as All-Gender* and is provided to assist facility operators and design professionals who design facilities under the jurisdiction of DSA in interpreting the requirements of Health and Safety Code (HSC) 118600.

DISCUSSION: HSC 118600 requires:

- a) All single-user toilet facilities in any business establishment, place of public accommodation, or state or local government agency shall be identified as all-gender toilet facilities by signage that complies with Title 24 of the California Code of Regulations, and designated for use by no more than one occupant at a time or for family or assisted use.
- b) During any inspection of a business or a place of public accommodation by an inspector, building official, or other local official responsible for code enforcement, the inspector or official may inspect for compliance with this section.
- c) For the purposes of this section, “single-user toilet facility” means a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user.
- d) This section shall become operative on March 1, 2017.

FOLLOWING IS A LIST OF FREQUENTLY ASKED QUESTIONS:

In applying this statute to existing facilities, how does HSC section 118600 reconcile with the provisions in the California Building Standards Code (CBSC)?

According to Assembly analysis:

Assembly Bill 1732 does not change existing laws with respect to the number of, specifications for, or other facility requirements for restrooms that a business or entity must comply with under the existing CBC or current local ordinances, but changes the restroom identification and availability of use.

This bill does not require businesses to add or remove existing restroom facilities or alter current restroom structures; it simply requires a single-user toilet facility (meant for one single-user occupant at a time) to be made available to any person, regardless of a person's gender designation. Enforcement of this bill is delegated to a health officer or inspector, at the local level, but does not require those inspectors to do so.

Statutory text indicates that this law applies to all single-user toilet facilities in any state or local government agency, and therefore applies to single-user toilet facilities in California public schools, community colleges, and state-owned facilities.

IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER: FREQUENTLY ASKED QUESTIONS

In applying this statute to new facilities designed or submitted for permit after March 1, 2017, how does HSC 118600 reconcile with the provisions of the CBSC?

The Assembly analysis expressly indicates that AB1732 only changes the restroom access designation. In designing facilities, DSA recommends that standard procedures in the application of all the requirements of the CBSC are followed, and that the requirements of HSC 118600 are applied last. There are many reasons for this:

1. Intent expressed in the Assembly analysis which indicates that compliance under the existing provisions of the CBSC is required.
2. Consistency for all facilities in the interpretation of the requirements.
3. Maintaining the required amount of accessible facilities, which could be reduced if single-user facilities are designated as available for all users prior to meeting the requirements of the California Plumbing Code for separate facilities.

Is a single-user toilet facility required to be provided by a business establishment, place of public accommodation, or state or local government agency?

No. For existing facilities, the law states that a gender-specific single-user toilet facility, if provided, must be identified as available for all genders. The law does not require a single-user toilet facility available to all genders to be constructed if a gender-specific single-user facility does not already exist.

For new facilities, the Assembly Analysis is clear that the existing requirements of the CBSC should be followed prior to designating gender-specific single-user toilet facilities as available to all genders. If the CBSC does not require a single-user toilet facility to be constructed, then a single-user toilet facility does not need to be provided. However, in consideration of the need expressed in the statute for accommodating parents and caregivers of opposite genders, and for accommodating transgender individuals, facility owners may want to consider exceeding the minimum requirements of the CBSC when designing new facilities to provide a single-user toilet facility available to all genders where one is not required.

Is a single-user facility designated for use by all genders required to be made available for all user groups?

No. A specific group of users can still be applied to single-user toilet facilities, provided the group is not specific to gender. For example, in a school setting, a staff single-user toilet facility can still be reserved for staff use only, provided its use is made available to staff of all genders.

The requirements identify a single-user facility as a toilet facility with no more than one water closet and one urinal with a locking mechanism controlled by the user. How does this requirement apply to a facility if the one toilet is provided in a toilet compartment and separated from the lavatory?

There are two toilet room configurations to which this statute may apply:

1. A toilet facility with one toilet and one lavatory, with a locking mechanism on the door to the toilet facility controlled by the user.
2. A toilet facility with one toilet, one urinal, and one lavatory, with a locking mechanism on the door to the toilet facility controlled by the user.

IDENTIFICATION OF SINGLE-USER TOILET FACILITIES AS ALL-GENDER: FREQUENTLY ASKED QUESTIONS

The statute text does not indicate that this law applies to the following configurations:

1. Any type of bathing facility.
2. A toilet facility with one toilet in a compartment with a latch, a lavatory not in the compartment, and no privacy lock on the door to the toilet room.
3. A toilet facility with one toilet in a compartment, a lavatory and a urinal not in the compartment, and no privacy lock on the door to the toilet room.

The statute identifies a single-user facility differently than Chapter 11B of the California Building Code (CBC). How do I determine the correct application of the requirements?

This statute does not address an accessibility requirement for individuals with disabilities. The scoping provisions and definition of a single-user facility according to the accessibility provisions of Chapter 11B of the CBC are provided to address the technical requirements in Chapter 11B of the toilet facility for accessibility purposes. The definition of a single-user toilet facility in Chapter 11B of the CBC is not applicable to interpreting this law regarding the toilet room configuration for identification purposes.

If my toilet facility has the unisex geometric symbol on the door and wall signs with pictograms of a man and a woman, am I required to change the geometric symbols and wall sign?

This statute requires single-user toilet facilities to be available for use by all genders. If an existing toilet facility bears the unisex door symbol, it is already identified for use by all genders, and likely requires no change in identification.

Does this statute apply only to accessible single-user toilet facilities?

No. In California, all doorways and entryways to toilet facilities are required to have a door identification geometric symbol, compliant to the CBC, whether or not the facility is accessible to individuals with disabilities. The geometric symbols identify the facility use: a circle for women's facilities, a triangle for men's facilities, or a triangle superimposed on a circle, known as the "unisex" symbol, for facilities available to all users regardless of gender. An International Symbol of Accessibility (ISA) is not required to be provided if all restrooms at the facility are accessible. The CBC requires that where not all restroom facilities provided are accessible, an ISA is required to be provided to identify the accessible facilities. This ISA can be on the accompanying wall sign, if provided, or on the door geometric symbols.

How do I make sure the new signs and geometric symbols I purchase are compliant, and how do I install them correctly?

The requirements for door geometric symbols and wall signs that identify toilet facilities are in the CBC. Please use this link to access the [2016 CBC, Part 2 Volume 1](#). On the page, please access the link for "Chapter 11B – Accessibility to Public Buildings, Public Accommodations, Commercial Buildings, and Public Housing."

The scoping provisions for door geometric symbols are in 11B-216.8, and the technical requirements for door geometric symbols are in 11B-703.7.2.6.

The scoping provisions for wall signs identifying permanent rooms and spaces, if provided, are in 11B-216.2. The technical requirements for wall signs include 11B-703.1, 11B-703.2, 11B-703.3, 11B-703.4, and 11B-703.5. If pictograms are included on wall signs, pictograms shall comply with 11B-703.6. An ISA, if required, shall comply with 11B-703.7.1 and 11B-703.7.2.1.